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App. # 10 / 827,021 (filed 04 / 19 / 2004)  
 - Richard Devlin Schwarz (Scotch Plains, NJ)  
 - Brad Eric Pines ((Troy, MI)

To USPTO Tech Center 3600, 571 - 272 - 3600 #9, #4  
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Dec. 03, 2007

Art Unit - 3694

Regarding: Application # 10 / 827,021 (filed 04 / 19 / 2004)

Inventors - Richard Devlin Schwarz (Scotch Plains, NJ)  
 - Brad Eric Pines ((Troy, MI)

Patent Examiner, Shahid R. Merchant, 571 - 270 -1360

**Schwarz-Pines Response, USPTO Notice of Non-Compliant Amendment, dated 11/ 01/ 07**

Under Amendment (37 CFR 1.121), Items Causing Non-Compliance:

4. B. listing of claims does not include text of all pending claims
- C. Each claim not provided with status identifier
- E. Claims on "clean" white separate sheet

**Response: Section A - Overview****B - Clean Copy, Claims 1 To 44**

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total pages, 10

**Section A - Overview of Basic Differences, Schwarz-Pines Application vs. Robinson Patent**

The financial system (acronym OPERRA) taught by Schwarz-Pines application (# 10 / 827,0210) is unique and fundamentally different from that described in the Robinson patent (US 6,484,152 B1) and that implied by combining the teachings of Robinson and the Markese article ( Ref. "U" (Can You Trust Mutual Fund Rankings?)).

OPERRA process produces an overall score / rank for a holding or security based on past performance; OPERRA does not produce an optimal portfolio as does Robinson. The score / rank produced by OPERRA could be one of the characteristics applied to the stocks by a user (investor) selects attempting arrive at his maximum portfolio in applying the Robinson system. Thus, in one sense, OPERA could be viewed as complementary to the Robinson system.